Manitoba

Annual Report 2000 - 2001

The Clean Environment Commission

Includes 10% post-consumer waste

102-02872/

MINISTER OF CONSERVATION

Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

His Honour
The Honourable Peter M. Liba, C. M., O. M.
Lieutenant-Governor of Manitoba
Room 235 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Your Honour:

The undersigned has the honour to present the Annual Report of The Clean Environment Commission detailing its activities for the fiscal year ending March 31, 2001.

Sincerely,

Oscar Lathlin
Minister

Manitoba

Clean Environment Commission

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Office of the Chairperson
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The Honourable Oscar Lathlin
Minister of Conservation
Room 333 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Mr. Lathlin:

Pursuant to the provisions of Section 6(10) of The Environment Act I am pleased to submit to you the Commission's annual report for the year ending March 31, 2001.

Submitted on behalf of the Commission.

Terry Duguid
Chairman

2001
International Year of Volunteers

THE MANITOBA CLEAN ENVIRONMENT COMMISSION

During the 2000-01 year, Commission membership consisted of the following citizen appointees and full-time chairperson. The Minister responsible for The Environment Act for the period under review was the Honourable Oscar Lathlin.

Nick Carter, Winnipeg

Terry Duguid, Chairman, Winnipeg

Ian Halket, Winnipeg

Judy Head, The Pas

Gerard Lecuyer, Winnipeg

Moses Okimaw, Winnipeg

Archie Phillips, Winnipeg

Constance Pringle, Thompson

Ken Wait, Balmoral

Barrie Webster, Winnipeg

John Whitaker, Erickson

ROLE AND RESPONSIBILITIES

Under The Environment Act (1988) the Clean Environment Commission provides a process through which the public can participate in the environmental decision making process in Manitoba. The Commission also provides advice and recommendations to the provincial Conservation Minister with respect to environmental issues and licensing matters.

Commission membership includes a full-time Chairperson and part-time Commissioners appointed by Order-in Council. Members come from a wide variety of occupations and reside in different regions of the province.

The Commission utilizes the following mechanisms to assist in the environmental management process:

Public Hearings

During the environmental assessment process, the public is invited to submit comments and/or objections respecting a proposed development project. In response to valid concerns, the Environment Minister can ask the Clean Environment Commission to convene a public hearing. During such a hearing the Commission would receive representations from the project proponent, the general public - both supporters and opponents, and from the various government departments responsible for reviewing the

proposal. The Commission reviews the evidence and information presented at the hearing and prepares a report containing advice and recommendations for the Minister. Upon receipt of the Commission's report, the Minister may choose to accept all or part of its recommendations but is under no legal obligation to do so. If, however, the Commission's recommedations are not acted upon, or incorporated into the licence under review, written reasons must be provided by the Minister or the Enviornment Department and these must be filed in the Public Registry.

Policy Development

Some environmental issues require public involvement before government policy can be developed. In these cases, the Environment Minister can request that the Commission convene a hearing to investigate the issue.

Regulation Development

The Environment Act requires public involvement as part of development process for Regulations. In some cases, this can be achieved through Clean Environment Commission hearings.

Environmental Mediation

Conflicts can occur when two opposing but environmentally sound ideas are proposed for the same location or resource. Providing all parties agree, the Commission can provide

environmental mediation services to resolve these conflicts.

Investigations

The Environment Act allows the Commission to investigate any matter of environmental concern and to provide advice and recommendations to the Environment Minister. In this area, the Commission can request assistance from the Manitoba Environmental Council, a citizens advisory body to the Environment Minister.

In performing its various functions under The Environment Act, the Clean Environment Commission strives to encourage and facilitate public involvement in the environmental management process in Manitoba. The opinions of all participants in Commission proceedings are treated fairly and with due respect and consideration.

REPORT FROM THE CHAIR

The Clean Environment Commission (CEC) is an arms-length provincial agency that encourages and facilitates public involvement in environmental matters and offers advice and recommendations to the Minister of Conservation with respect to environmental issues, project approvals and environmental licenses. The CEC attempts to contribute to the provincial government's goal of striking a balance between environmental stewardship

and economic development.

In recent years, the Commission has had a relatively low profile and played a limited role, as indicated by few ministerial requests to conduct public hearings. The discretionary powers of the Commission to carry out reviews of policy, legislation and regulation were not exercised. While some involvement in environmental mediation occurred, the Commission has been inactive for an extended period.

The appointment of a new Chairman and Commissioners in July 2000 was accompanied by a statement by the Minister of Conservation that the Commission was being revitalized and that the CEC was meant to play a more important role in providing advice on environmental subjects of concern to Manitobans.
Conservation Minister Oscar Lathlin stated:

> *"...we are following through on our government's election promise to enhance the role of the commission. We anticipate that in the coming months and years the Clean Environment Commission will play a significant role in providing advice to government on environmental decision-making."*

The Commission will attempt to exercise the full range of its mandate to involve the public and give advice to the minister of Conservationr

in four major activity areas: public hearings, issues investigations, environmental mediation and public education.

Terry Duguid

HEARINGS

During the 2000/01 fiscal year, the Commission was not called upon to convene any public hearings.

INVESTIGATIONS

Electric and Magnetic Fields - Workshop

In December, 2000, the Minister Responsible for Manitoba Hydro requested that the CEC review the issue of potential human health effects of exposure to electric and magnetic fields (EMF). Under the supervision of Commissioners Duguid, Lecuyer and Halket an "Experts Workshop" was convened on January 25th, 2001 to consider the issue, and to review the current state of the scientific debate on the matter. Local health and EMF experts, along with an internationally renowned EMF researcher, attended the *Workshop* and developed a *Consensus Statement* respecting the potential human health related effects of exposure to EMF. This *Statement*, along with a full report on the day's proceedings, was prepared and

submitted to the Ministers responsible for Manitoba Hydro and Conservation in March.

ENVIRONMENTAL MEDIATION

Tundra Oil & Gas Ltd. - Tilston Area Residents Mediation

The Commission was asked by the Minister of Conservation to explore the possiblity of mediating an ongoing dispute between Tundra Oil and Gas Ltd. and a number of Tilston area residents respecting the operation of one of the Company's oil batteries. Meetings with representatives of the Company and several residents were held in late January to determine whether or not a mediation exercise would prove useful in resolving some aspects of the dispute. Following these initial meetings, it was the determination of the Chairman that there was no basis to proceed further with efforts to develop a structure for a mediation process. Accordingly, the Minister was advised and the matter was referred back to the Department for further action.

Maple Leaf Foods (Rothsay Rendering) - St. Boniface Area Residents Mediation

On February 26, 2001 the Minister of Conservation requested that the Commission investigate the possibility of pursuing a mediation exercise to address the ongoing dispute between Maple Leaf Foods Ltd. and residents in the St. Boniface area of Winnipeg with respect to odour emissions from the Rothesay Rendering plant on

on Dawson Road. In response, all parties to the dispute were contacted to determine if a mediation exercise holds any promise of success. Further details on this mediation exercise will be provided in a subsequent Annual Report.

POLICY/REGULATION DEVELOPMENT

During the 2000/01 fiscal year, the Commission was not called upon to assist in the development or review of any specific policies or regulations.

SPECIAL PROJECTS

Climate Change Forum and "Primer" Document

On January 10, 2001 the Commission, working in partnership with the International Institute for Sustainable Development, sponsored a public forum respecting Climate Change. The purpose of the forum was to encourage public discussion about the challenges and opportunities that climate change might present for Manitobans. Over 340 people representing a broad cross-section of the Manitoba population attended the forum. A *primer* document introducing the subject was released in draft format during the forum and is currently undergoing final revision before it is re-released for general distribution, likely on or around the 9th of April.

CLEAN ENVIRONMENT COMMISSION PUBLICATIONS

Preliminary Report on Contamination of Underground Water Sources by Refined Petroleum Products (1975)

Report on the Investigation of the Pollution of Underground Water by Refined Petroleum Products (1975)

Report on the Investigation of Smoke Problems Encountered in Southern Manitoba in 1976 (1977)

Report on an Investigation of Intensive Livestock Production Operations in Manitoba (1979)

Report on a Proposal Concerning Surface Water Quality Objectives and Stream Classification for the Province of Manitoba (1979)

Report on a Proposal for the Classification of Manitoba's Surface Water Souris River Principal Watershed Division (1980)

Report on Red River Waters (Proposed Classification of Surface Water Quality In Manitoba's Red River Principal Watershed Division and Certain Red River Tributaries) (1980)

Report on Proposed Classification of Surface Water Quality In Manitoba's Grass-Burntwood Rivers Principal Watershed Division (1981)

Report on a Proposal for the Classification of Manitoba's Surface Water Red River Principal Watershed Division (1981)

Report on a Proposal for the Classification of Manitoba's Surface Water Grass-Burntwood Rivers Principal Watershed Division (1982)

Report on Mosquito Control Programs in Manitoba (1982)

Report on Environmental Land Use Conflict - Balmoral,Manitoba (1983)

Report on Hazardous and Special Wastes Stage 1 of Phase 1 of Program (1983 & 1984)

Report on the Review of the Plan for the Rehabilitation of the Site of the Domtar Inc. Former Wood Preserving Plant, Transcona, Manitoba (1984)

Report on Manitoba Hazardous Waste Management Program (Volume 1) (1987)

Report on Manitoba Hazardous Waste Management Program (Volume 2) (1987)

Report on the Draft Regulation Respecting Atmospheric Emissions of Sulphur Dioxide and Particulates From Inco Limited in Thompson and HBM & S Co. Limited in Flin Flon (1987)

Report on Investigation of Smoke Problems from Agricultural Crop Residue and Peatland Burning (1987)

Report on Netley Creek Golf Course Development Proposal (1988)

Report on Burns Rendering Plant, Brandon, Review of the Environment Department Licence Regulating the Operation of and Emissions from the Plant (1988)

Report on Village of Shoal Lake Sewage Lagoon Proposal (1988)

Report on Puffy Lake Gold Mine (1988)

Report on Bonne Homme Colony Farms, Rural Municipality of Westbourne (1988)

Report on Upland Colony Farms Sewage Lagoon System (1988)

Report on Precise-To-Form Castings Inc. Investment Casting Foundry Operation (1988)

Report on McCain Foods Limited, Portage la Prairie (1988)

Preliminary Report on a Proposal by Canamax Resources Inc. for the Development of a Potash Mine at Russell, Manitoba (1988)

Final Report on a Proposal by Canamax Resources Inc. for the Development of a Potash Mine at Russell, Manitoba (1989)

Report on Clearwater Lake Watershed Basin Surface Water Quality Classification (1989)

Report on Shell Prairie Inn and Gas Station Wastewater Treatment and Disposal System (1989)

Report on Westlake Regional Water Supply Proposal (1989)

Report on City of Portage la Prairie Sewage Sludge Disposal Project (1989)

Report on North Duck River Headwater Storage Project (1989)

Report on Town of Beausejour Sewage Lagoon Expansion (1989)

Report on COJEF Limited Burning Site (1989)

Report on Deago Properties Sewage Treatment Plant (1989)

Report on Rural Municipality of Rhineland/Town of Altona Liquid Waste Holding Ponds for C.S.P. Foods Ltd. (1989)

Report on Namew Lake Mine/Mill (1989)

Report on Provincial Road #340 Class 2 Highway Relocation Project (1989)

Report on Repap Manitoba Inc. Phase I Modification and Expansion of the Manfor Complex (1989)

Report on Norquay Holding Company Sewage Lagoon (1989)

Report on Airport Holding Co. Ltd. Domestic Wastewater Treatment Lagoon (1990)

Report on Rural Municipality of Portage la Prairie Liquid Waste Disposal Facility (1990)

Report on Highway Gardens Ltd. Variation to Licence #391 (1990)

Report on Whiteshell Colony Farms Ltd. Domestic Waste-water Treatment Lagoon (1990)

Report on Pelican Lake Enhancement Project (1990)

Report on Village of St. Claude Sewage Lagoon and Discharge Route (1990)

Report on Ducks Unlimited Canada Oak Hammock Marsh Conservation Centre/Office Proposal (1990)

Report on Meadow Materials (Dow Corning Silicon Energy Systems, Inc.) Pilot Plant (1990)

Report on Beausejour Auto Wrecking Continuing Operation (1991)

Report on Hudson Bay Mining & Smelting Co. Ltd. Namew Lake Mine/Mill - A Review (1991)

Report on Abitibi-Price Inc. FML #01 Forest Resource Management Plan 1991 - 1998 (1992)

Report on Application of Water Quality Objectives for the Watershed Classification of the Red and Assiniboine Rivers and Tributaries Within and Downstream of The City of Winnipeg (1992)

Report on General Scrap & Car Shredder Ltd. Review of Environment Act Licence 898VC (1992)

Report on Manitoba Hazardous Waste Management Corporation Central Hazardous Waste Management Facility Licence Application (1992)

Rapport Sur Les Audiences Publiques: Demande De Permis Relative À Un Centre de Gestion Des Déchets Dangereux Présentée Par La Corporation Manitobaine De Gestion Des Déchets Dangereux (1992)

Report on Good Hope Holding Company Ltd. Wastewater Treatment Lagoon, Rural Municipality of Portage la Prairie (1992)

Report on the Rural Municipality of Rhineland and The Town of Altona Regarding Ongoing Disposal Practices for Soap-stock and Bleaching Clay Generated by CanAmera Foods Ltd. (1992)

Report on Public Hearings: City of Winnipeg - Deacon Reservoir Expansion, Rural Municipality of Springfield (1993)

Report on Public Hearings: Village of Teulon - Wastewater Stabilization Pond and Pipeline, Rural Municipality of Rockwood (1994)

Report on Public Hearings: Pembina Valley Water Cooperative Inc. Regional Water Supply Proposal (1994)

Report on Public Hearings: Louisiana-Pacific Corporation Oriented Strand Board Plant, Rural Municipality of Minitonas (1994)

Report on Public Hearings: Asessippi Ski Hil Project, Rural Municipality of Shellmouth (1995)

Report on Public Hearings: Solid Waste Management - Capital Region (1995)

Rapport Sur Les Audiences Publiques: Concernant La Gestion Des Déchets Solides Dans La Région De La Capitale (1995)

Report on Public Hearings: Browning Ferris Industries (BFI) Waste Systems Inc. Integrated Waste Management Facility, Rural Municipality of Rosser (1995)

Report on Public Hearings: Louisiana-Pacific Canada Ltd. Ten Year Forest Management Plan 1996-2005 (1996)

Report on Public Hearings: Tolko Manitoba Inc. - Forest Management Plan 1997-2009 (1997)

Report on Public Hearings: Town of Carman Abatement Project Linear Grain Inc. Anhydrous Ammonia Storage Tank Relocation (1999)

Manitoba and Climate Change: A Primer (2001)

NOTE: *Copies of all Commission reports are available from the Commission office upon request.*